

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ALICE MITWARUCIU,

Plaintiff,

vs.

STATE OF NEBRASKA; and SCOTT  
FRAKES, HARBAN DEOL, and DAWN-  
RENEE SMITH, in their individual and  
official capacities;

Defendants.

4:21CV3147

AMENDED CASE  
PROGRESSION ORDER

This matter comes before the Court on the parties' Joint Motion to Amend Case Progression Order ([Filing No. 15](#)). After review of the parties' motion, the Court finds good cause to grant the requested extensions. Accordingly,

**IT IS ORDERED** that the Joint Motion to Amend Case Progression Order ([Filing No. 15](#)) is granted, and the case progression order ([Filing No. 11](#)) is amended as follows:

- 1) The deposition deadline on the issues of qualified immunity and sovereign immunity is **February 4, 2022**.
- 2) Motions to compel Rule 33 through 36 discovery must be filed by **February 9, 2022**.

**Note:** Motions to compel shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 3) The deadline for filing the anticipated qualified immunity motion is **March 1, 2022**. Further case progression will be deferred until after resolution of such motion.<sup>1</sup>
- 4) The parties shall contact the undersigned magistrate judge's chambers within seven (7) days after a ruling on the anticipated qualified immunity motion to set a status conference for discussing further case progression.

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<sup>1</sup> To facilitate the court's review, the parties are strongly encouraged to include hyperlinks to the evidence, CM/ECF record, and all legal authorities cited within their briefs filed in support of, or in opposition to, any motions filed. See NECivR [7.1](#). For instructions, see "Hyperlinking Information" at <http://www.ned.uscourts.gov/attorney/electronic-case-filing>.

- 5) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.

Dated this 6<sup>th</sup> day of December, 2021.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge